



# MINUTES

## EXECUTIVE BOARD

Three hundred fifteenth Meeting  
Monday  
March 15, 2004

LCR 1  
State Capitol Building  
Pierre, South Dakota

### Monday, March 15, 2004

The three hundred fifteenth meeting of the Legislative Research Council Executive Board was called to order by Chair Representative Orville B. Smidt at 3:40 p.m. (CT), March 15, 2004, in LCR 1 of the State Capitol, Pierre, South Dakota.

A quorum was determined with the following members answering the roll call: Senators Tom Dempster, H. Paul Dennert, Royal "Mac" McCracken, and Ed Olson; and Representatives Julie Bartling, Rebekah Craddock, Phyllis M. Heineman, Claire B. Konold, Gerald Lange, Orville B. Smidt, and Ron Williamson. Senators Arnold M. Brown, Brock L. Greenfield, and Gil Koetzle, and Representative Matthew Michels were excused.

Staff members present included James Fry, Director; and Yolonda J. Soyer, Administrative Assistant.

(**NOTE:** For sake of continuity, the following minutes are not necessarily in chronological order. Also, all referenced documents are on file with the Master Minutes.)

(**Clarification:** Voice votes that prevail with all members present voting "aye" will carry the disposition language "prevailed unanimously." Voice votes that prevail with a majority of all members present voting "aye" will carry the disposition language "prevailed." Voice votes that prevail without all members present voting "aye" will list those members casting "nay" votes if so requested by the dissenting voter.)

### Approval of Minutes

**REPRESENTATIVE KONOLD MOVED, SECONDED BY REPRESENTATIVE LANGE, THAT THE MINUTES OF THE NOVEMBER 17-18, 2003, MEETING BE APPROVED AS PRINTED AND MAILED. MOTION PREVAILED UNANIMOUSLY ON A VOICE VOTE.**

### Approval of Agenda

**SENATOR OLSON MOVED, SECONDED BY SENATOR DEMPSTER, TO ADD TO THE AGENDA A DISCUSSION OF THE POSSIBILITY OF PROVIDING AIR CHARTER SERVICE TO EXECUTIVE BOARD MEMBERS TO ATTEND EXECUTIVE BOARD MEETINGS. MOTION PREVAILED UNANIMOUSLY ON A VOICE VOTE.**

The agenda was accepted as amended.

**Proposed Meeting Schedule  
(Document #1)**

Board members reviewed a proposed meeting schedule.

**SENATOR OLSON MOVED, SECONDED BY REPRESENTATIVE KONOLD, THAT THE EXECUTIVE BOARD ADOPT THE FOLLOWING MEETING SCHEDULE FOR 2004:** Monday, April 19; Monday, May 17; Wednesday, June 2; Monday, August 2, and Monday and Tuesday, November 22-23. **MOTION PREVAILED UNANIMOUSLY ON A VOICE VOTE.**

### **Review of Legislative Involvement in Statutorily Established Commissions**

**Mr. Fry** explained that the Seventy-Ninth Legislature had created several groups to study a variety of topics. Of these groups, the Executive Board will make appointments to the following: Child Care and Early Learning Opportunities Task Force (SB 117) and Criminal Code Revision Commission (SB 1) (**Documents #2** and **#3**, respectively). **Document #4** is a listing of mandated studies for the 2004 interim. He stated that the information was provided for planning purposes. He noted that the Board previously took action to conduct reviews of the Bureau of Information and Telecommunications and the Department of Education (pursuant to SDCL 1-26E-2) during the 2004 interim.

Representative Cradduck, referring to the listing of suggested interim study topics which was included with the March 9 issue of the *LRC Update*, noted that the House Education Committee had suggested topics for summer study. She stated that the Department of Education Agency Review Committee should be apprised of what the Executive Board wants the committee to include in its review. Senator Dennert noted that frequently the Executive Board combines suggested studies for assignment to a study committee. Mr. Fry explained that all legislators will soon receive a survey asking them to rate their preferences for the suggested interim studies.

### **Review of Funding for Travel to Out-of-State Meetings**

**Chair Smidt** explained that he was going to try to balance the number of legislators who are authorized to attend meetings of the various organizations—National Conference of State Legislatures (NCSL), American Legislative Exchange Council (ALEC), Council of State Governments (CSG), and Midwestern Legislative Conference (MLC). He stated that it was his intent to send legislators to meetings that promote a legislator's personal development and which enhance a legislator's value to the legislative process. **Document #5** is a copy of the Executive Board's policy on appointments to the Council of State Governments' and National Conference of State Legislatures' committees. Also included in the document are the Board's policy on participation in leadership functions and its policy on attending out-of-state meetings not sponsored by certain organizations.

### **Chartered Airline Travel**

**Senator Olson** explained that at one time Executive Board members were offered the option of chartered air travel to attend Board meetings; this arrangement worked well. Mr. Fry explained the safety concerns with having several people on the same airplane. He further stated that there is concern that the charter companies would not have planes that are large enough to hold the number of members who would be interested in this mode of travel. Senator Olson stated that previously five or six members of the Board chartered to meetings. He clarified that he was not proposing that all fifteen Board members use chartered airline service to attend meetings. Senator Dennert commented that he would be in favor of such a travel option if it was fiscally responsible. Senator Olson stated that when chartered air travel was used in the past, it was a cost-saving measure.

The topic of chartered airline travel will be researched by LRC staff and will be discussed at the April 19 Board meeting.

### **Legislative Office Space**

**Mr. Fry** explained that there will be space available on the fourth floor of the Capitol after construction of the Division of Criminal Investigation (DCI) facility is completed. It is anticipated that the Attorney General's office (currently housed on the first floor of the Capitol) will move to the new DCI facility. The Public Utilities Commission (currently housed on the first floor of the Capitol) could then relocate to the space currently occupied by the Attorney General's office. The Bureau of Personnel (currently housed on the fourth floor of the Capitol) could move to the space currently occupied by the Public Utilities Commission. The Legislature could then use the space on the fourth floor currently used by the Bureau of Personnel.

The Director reported that the earliest estimated date for occupancy of the new DCI facility is October 2005. He suggested that the Executive Board's Subcommittee on Space Planning discuss the issue of the Legislature's acquiring additional space on the fourth floor of the Capitol.

Representative Konold stated that the current DCI building will be vacant when the new facility is available. The state owns the DCI building, but the state does not own the DCI laboratory.

It was agreed that Chair Smidt and Mr. Fry would contact the Governor relative to the Legislature's desire to acquire the space on the fourth floor of the Capitol currently occupied by the Bureau of Personnel. The Space Planning Subcommittee will then meet to discuss the issue.

### **Use of Legislative Chambers**

**Mr. Fry** reported that approval had been given by the Executive Board Chair for the South Dakota Teen Age Republicans to use the House Chamber for a Model Legislature on Saturday, March 27, 2004. Also, approval was granted to the Children's Home Society to use the Senate Chamber for a Model Legislature on Thursday, April 29, 2004. He further explained that these groups have used the chambers in the past and there have been no problems.

### **Next Meeting Date**

The Board will meet on Monday, April 19, to select study topics for the 2004 interim.

**SENATOR OLSON MOVED, SECONDED BY REPRESENTATIVE KONOLD, THAT THE EXECUTIVE BOARD ADJOURN. MOTION PREVAILED UNANIMOUSLY ON A VOICE VOTE.**

The Executive Board adjourned at 4:00 p.m.



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